

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

FILED

2024 AUG -5 A 11:19

Taylor

Plaintiff)	
Vs.)	
)	# 1:24-cv-00880
Revature LLC.)	
)	
Defendant)	

MEMORANDUM SUPPORTING LEAVE TO FILE A SUR-REPLY

I. INTRODUCTION

I have more to say regarding Defendant's attempted defenses of claim splitting and time bar. This Court should dispense with the scheduled oral argument in the interest of judicial economy and efficiency. I'm asking the Court to grant this motion so I may have an unprejudiced opportunity to be heard.

II. PROCEDURAL HISTORY

1. This Complaint was filed May 24, 2024.
2. On July 12, 2024, Defendant filed a motion to dismiss, arguing that I should have filed the complaint on a terminated docket.
3. On July 22, 2024, I filed a memorandum in opposition.
4. On July 29, 2024, Defendant filed a response to my opposition.

5. On August 5, 2024 I am filing this memorandum to seek leave from the Court so that I may file a sur-reply to Defendant's July 29, 2024 filing.

III. STANDARD OF REVIEW

Local Civil Rule 7(F) states the following:

“the opposing party shall file a response brief and such supporting documents as are appropriate, within fourteen (14) calendar days after service and the moving party may file a reply brief within six (6) calendar days after the service of the opposing party's response brief. The fourteen (14) and six (6) calendar day periods for response and reply briefs shall apply without regard to, and are not expanded by, the mode of service used for those briefs, notwithstanding the provisions of Fed. R. Civ. P. 6(d). No further briefs or written communications may be filed without first obtaining leave of Court.”

Very respectfully, I seek leave to comply with the Local Civil Rule 7(F)1 and ask this Court to grant leave so that I may file a sur-reply to Defendant's Motion to Dismiss.

IV. CONCLUSION

Before deciding on claim splitting or time bar, I ask the Court for permission to file a sur-reply. The legal reasoning of my sur-reply to Defendant's position will discuss judicial economy and efficiency, prejudice to me as a party, the interests of justice, and the likelihood of my success on the merits. I filed this action in good faith and did my best to apprise everyone of what and why I was doing. I'm not refusing to appear before the Court, I'm asking for permission to write the sur-reply first.

CERTIFICATES

A. Truthfulness

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and Plaintiff served Defendant with a copy of this document on the same day.

B. Ghost Writing

I certify under penalty of perjury under the laws of the United States of America, pursuant to Local Rule 83.1(M), no attorney has prepared, or assisted me in the preparation of this document.

Date: August 5, 2024

Very Respectfully,

Printed Name: Danielle Taylor

Signed Name: _____

